

R E M A R K S

Applicant recognizes the restriction requirement and acknowledges the withdrawn claims. In the Office Action, the Examiner rejected claims 1-56 under 35 USC §102. These objections and rejections are fully traversed below.

The claims have been amended to further clarify the subject matter regarded as the invention and to correct typographical errors. Claims 1-56 remain pending.

Reconsideration of the application is respectfully requested based on the following remarks.

REJECTION OF CLAIMS UNDER 35 USC §102

In the Office Action, the Examiner rejected the claims under 35 USC §102(e) as being anticipated by Turina et al., U.S. Patent No. 6,826,198, ('Turina' hereinafter). This rejection is fully traversed below.

The claimed invention enables an SCTP association between two network devices to be modified. This is accomplished, in part, by sending an SCTP configuration message from one of the two network devices to the other of the two network devices, where the SCTP configuration message indicates a modification to be made to the SCTP association. In this manner, the SCTP association between two network devices may be changed dynamically without disconnecting an existing session.

Turina discloses signaling transport protocol extensions for load balancing and server pool support. See title. Specifically, a name mapping unit is adapted to receive a signaling target node name from the signaling source node and to map the signaling target node name into a peer signaling association. See abstract. It is important to note that, as shown in FIG. 4, the name mapping unit is not implemented at the SCTP layer, but rather is implemented in the SUA layer, which is a layer on top of the SCTP layer. See abstract. Real time name translation is achieved through provision of local copies of data relating to name mapping in each network node and/or host. See summary, col. 2, lines 42-44. While Turina discloses

that the name mapping unit comprises a mapping data interface unit adapted to distribute and/or receive signaling association attributes via the signaling control layer SCTP (see col. 3, lines 6-10), there is no indication in Turina that a previously established SCTP association is modified as a result of the name mapping, or in order to achieve the name mapping. More specifically, Turina fails to disclose or suggest modifying the set of IP addresses in an SCTP association.

While Turina generally discusses the use of the SCTP protocol, an SCTP association, and standard SCTP signaling processes, Turina fails to disclose the claimed invention. Other cited portions of Turina merely discuss load balancing. See col. 2, line 62 – col. 3, line 2. More specifically, Turina discloses that members of a server pool may be added or removed using the DDP protocol, not the SCTP protocol. See col. 6, lines 61-65. Thus, it is important to note that Turina fails to disclose adding an IP address to an SCTP association or removing an IP address from an SCTP association. It is also important to note that the server pool of Turina is not modified via an SCTP configuration message sent between two members of an SCTP association.

With respect to claim 1, Turina fails to disclose or suggest modifying an SCTP association. In fact, Turina neither discloses nor suggests sending an SCTP configuration message from the first network device to the second network device, where the configuration message indicates a modification to be made to the SCTP association. While Turina discloses the general signaling performed to establish an SCTP association in relation to the disclosed name mapping invention, Turina fails to disclose any SCTP signaling to subsequently modify the SCTP association.

With respect to claim 2, Turina fails to disclose sending an SCTP configuration message from the first network device to the second network device when a new IP address is assigned to the first network device. See col. 6, lines 32-41. Similarly, with respect to claim 3, Turina says nothing about sending the SCTP configuration message when a new network interface card is added to the first network device.

With respect to claims 4 and 31, Turina fails to disclose or suggest receiving an SCTP acknowledgement message acknowledging receipt of the SCTP configuration message. Similarly, with respect to claims 5 and 32, Turina fails to disclose or suggest acknowledging that the SCTP association has been modified corresponding to the SCTP configuration message. Rather, the CONNECTION_ACKNOWLEDGE message disclosed in col. 10, lines

20-22 of Turina appears to be a standard message that merely acknowledges the connection that has been established.

With respect to claims 6, 33, 25, and 49, Turina neither discloses nor suggests the use of a chunk type in the manner claimed. Specifically, the chunk type indicates that the message being sent is a new message type not previously implemented in SCTP signaling (e.g., SCTP configuration or acknowledgement message).

With respect to claims such as 7 and 34, while Turina briefly mentions mobile servers and mobile terminals, Turina neither discloses nor suggests application of the presently claimed invention to Mobile Nodes in the manner claimed. While Turina discloses the use of servers that support mobile terminals, Turina fails to disclose or suggest, as recited in claims 11 and 14, that the first network device is a Mobile Node and the specified IP address is an IP address of a network location of the Mobile Node (e.g., to which the Mobile Node has roamed). This argument is equally applicable to claim 18. Similarly, with respect to claims 20 and 45, Turina fails to disclose or suggest the removal of a Home Address of a Mobile Node. In addition, with respect to claims 21 and 46, Turina fails to disclose or suggest that the address to be set as a primary address is an address via which the Mobile Node is to send and receive packets.

With respect to claims 8 and 35, while Turina discloses general information regarding SCTP associations, Turina says nothing about adding an IP address to a set of IP addresses in an SCTP association via an SCTP configuration message sent between two network devices between which the SCTP association has been established. Similarly, with respect to claims 12, 39, and 19 Turina says nothing about removing an IP address from an SCTP association via an SCTP configuration message.

With respect to claims 9 and 37, while Turina may generally disclose the detection of an inoperative signaling transport address, Turina fails to disclose or suggest establishing a primary address in the SCTP association via an SCTP configuration message. Furthermore, Turina fails to disclose or suggest sending such an SCTP configuration message when the network device determines that the address to be set as the primary address provides a better signal than those that were previously in the SCTP association, as recited in claim 10.

With respect to claims 15 and 40, the Examiner merely indicates that Turina discloses that members of a server pool can be removed at any time. Turina fails to disclose that an

SCTP configuration message includes at least one of an ADD message, a SET PRIMARY message, and a REMOVE message, as claimed. As such, Turina fails to disclose performing at least one of these messages in a particular order, as recited in claims 17 and 42.

Based on the foregoing, it is submitted that the independent claims are patentably distinct from Turina. In addition, it is submitted that the dependent claims are also patentably distinct for at least the same reasons. The additional limitations recited in the independent claims or the dependent claims are not further discussed as the above-discussed limitations are clearly sufficient to distinguish the claimed invention from Turina. Thus, it is respectfully requested that the Examiner withdraw the rejection of the claims under 35 USC §102.

SUMMARY

An early Notice of Allowance is earnestly solicited. If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 50-0388 (Order No. CISC226).

Respectfully submitted,
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